

EXHIBIT M

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

LINDA JANN LEWIS, MADISON LEE,
ELLEN SWEETS, BENNY ALEXANDER,
GEORGE MORGAN, VOTO LATINO,
TEXAS STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
and TEXAS ALLIANCE FOR RETIRED
AMERICANS,

Plaintiffs,

vs.

RUTH HUGHS, in her official capacity as
Texas Secretary of State,

Defendant.

Civil Action No. 5:20-cv-00577

Related to *Gloria et al. v. Hughs et al.*,
No. 5:20-cv-00527

**DECLARATION OF MARÍA TERESA KUMAR IN SUPPORT OF PLAINTIFFS’
MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to 20 U.S.C. § 1746, I, María Teresa Kumar, declare as follows:

1. My name is María Teresa Kumar. I am over the age of 18, have personal knowledge of the facts stated in this declaration, and can competently testify to their truth.

2. I am the President and Executive Director of Voto Latino, a 501(c)(4) nonprofit, social welfare organization that engages, educates, and empowers Latinx communities across the United States. Voto Latino’s mission is to ensure that Latinx people, including nearly 5.6 million eligible Latinx voters in Texas, are enfranchised and included in the democratic process and to increase civic participation among Latinx communities. To accomplish its mission, Voto Latino works in key states which have significant Latinx populations, such as Texas, California, Arizona, Nevada, Colorado, Florida, New Mexico, and Georgia.

3. Since its inception, one of Voto Latino's main priorities has been to register eligible Latinx voters to vote. To date, Voto Latino has registered close to 700,00 voters across the country. In 2018 specifically, Voto Latino registered 58,000 Texas voters, and was responsible for 15% of all new registered voters in the state. Among the Texas voters registered by Voto Latino in 2018, 77% of them turned out to vote. In 2020, Voto Latino has already registered over 97,000 new Texas voters and expects to register many more before the November general election. It also expects voter turnout in equal or greater numbers compared to the 2018 general election.

4. In the 2018 election cycle, Voto Latino was heavily involved in get-out-the-vote ("GOTV") efforts across its key states, including in Texas. These nationwide efforts included targeting 500,000 voters to encourage them to vote, arranging and funding almost 13,000 rides to the polls in critical states, and holding 70 grassroots events in key markets across the country.

5. In 2018, in Texas specifically, Voto Latino concentrated on engaging and mobilizing Latinx millennial and Gen Z voters through a digital engagement strategy, in addition to its regular voter registration efforts in Texas. Voto Latino worked with partners on the ground in Texas to coordinate voter engagement events. In the 2020 election cycle, the COVID-19 pandemic has affected how Voto Latino can engage voters and get out the vote while still protecting the health of its members and volunteers. It has transferred its in-person efforts for registration and GOTV to virtual events.

6. Voto Latino has also shifted some of its focus on registering voters to educating Latinx voters on voting by mail. It is emphasizing voting by mail, in part, because many of its members live in multi-generational households that rely on mature adults working multiple jobs to support both aging parents and young children. The elderly, those in frequent contact with the elderly, and those who cannot afford to become ill and incapable of supporting their family are

likely not to turn out to vote in person in the November general election due to concerns with being exposed to COVID-19. Moreover, business interruption, particularly in Texas's tourism-heavy economy, has caused Voto Latino's members to lose work or face job loss, increasing their financial stress and requiring them to spend extra effort and resources looking for work or trying to avoid job loss. Many of these voters cannot afford to take time off of work, or looking for work, to vote in-person within a relatively small window of time.

7. Despite the importance of voting by mail for Latinx voters during the pendency of the COVID-19 pandemic, there are significant risks that many mail-in ballots will go uncounted. These risks include voters not timely receiving their mail-in ballots, marked mail-in ballots not being mailed or not being delivered to county election administrators for want of sufficient postage, mail-in ballots not being postmarked by 7 p.m. on election day and delivered to county election administrators by 5 p.m. the day after the election, and mail-in ballots being rejected for signature mismatch reasons. The likelihood of such risks leading to disenfranchisement is heightened for Voto Latino's members because of multiple factors, including language barriers; failure to receive vote-by-mail ballots due to housing instability and displacement related to economic hardship or job loss; the cost or time to acquire proper postage; and ballots not being delivered by the deadline for any number of reasons, such as voter inexperience with how long it takes for mail to be delivered. We understand, for instance, that voting data in several states shows that, relative to white voters, the mail-in ballots of Latinx voters are invalidated at a disproportionate rate for failure to arrive by the deadline.

8. To minimize these risks, Voto Latino is mounting a multi-million-dollar effort to educate Latinx voters on voting by mail. That current effort largely involves phone banking, in which volunteers call other Texans to let them know how to apply to vote by mail *and* how to

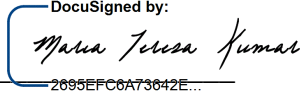
increase the likelihood that their mail-in ballots are counted. The latter discussion includes educating voters on the Postage Tax, Ballot Receipt Deadline, Signature Match Requirement, and Voter Assistance Ban (together, “Challenged Provisions”). Because Voto Latino understands that there will be an unprecedented influx of voting by mail this November due to the COVID-19 pandemic, it has determined that educating voters on these hurdles is imperative. Indeed, all of the work that Voto Latino does to register voters and inform them on how to register and apply to vote by mail means little if Latinx voters’ mail-in ballots are not counted because of the Challenged Provision’s arbitrary restrictions.

9. Should the Challenged Provisions remain in effect, Voto Latino intends to expend additional resources and staff time to educate Texas’s Latinx voters on when and how to cast their mail-in ballots. Specifically, Voto Latino has had to dedicate staff time towards launching a digital educational campaign aimed at educating Latinx voters on the Challenged Provisions and will have to expend corresponding financial resources to advertise and promote that campaign.

10. Were the Challenged Provisions invalidated, Voto Latino would reallocate resources that will now go to educating Latinx voters in Texas on those provisions to other activities, such as registering new voters, engaging in GOTV activities to turnout Latinx voters in Texas or other states, and ensuring that it can reach more Latinx voters to educate them on how to *apply* to vote by mail. Voto Latino would also organize an effort to collect marked mail-in ballots and deliver them to county election administrators to ensure the receipt of those votes in light of the current strain on the USPS. Voto Latino has limited resources to do its work, and any resources spent on general voter education necessarily takes away from our other key activities.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: June 15, 2020

By:  2695EFC6A73642E...

María Teresa Kumar
President and Executive Director
Voto Latino